IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3740 OF 2007

Boman Jahangir Irani. ..Petitioner.

V/s.

Jamshed Jahangir Irani & ors. ..Respondents.

Mr.P.S.Dani for petitioner.

Mr.R.D.Soni i/b. Ram & Co. for respondent No.1.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 4, 2007.

P.C. :

1. Heard counsel for the parties.

2. I am in agreement with the view expressed by the Court below that as final decree has already been dictated and pronounced, question of entertaining application at the instance of the petitioner is not open as the application is not maintainable. The Court has become functuous officio upon pronouncement of final decree. If the petitioner has any grievance about the correctness of the position stated in the final decree, the petitioner may take such remedy as may be permissible by law. Those questions will be considered on its own merits in accordance with the law.

3. This petition is disposed of on the above terms.